

SECTION D - MONTANA BOARD OF CRIME CONTROL

Figure 1

4107 Crime Control Division							All Programs	
Legislative Budget Comparison Table								
Federal Stimulus Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent
Grants	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%
Total Costs	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%
Federal Spec. Rev. Funds	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%
Total Funds	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%

Agency Narrative

Funding for the Montana Board of Crime Control is increased by \$4.6 million federal funds to reflect increases in federal pass through grants included in the American Recovery and Reinvestment Act.

Purpose of Funds

The Montana Board of Crime Control will be receiving funds supporting justice and law enforcement efforts through three federal grant programs. These funds will be passed-through to various state and local entities. In general, entities must complete a grant application in order to receive funds. More specific information related to each source of funds is included in the following paragraphs.

Edward Byrne Memorial Justice Assistance Grant Formula Program

This program is administered by the U.S. Department of Justice and flows through the state agency to subgrantees at the state and local level. These funds may be used for all components of the criminal justice system. The federal grant purpose areas for these funds are:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)

Funded projects may address crime through the provision of services directly to individuals and or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures

Up to 10 percent of the funds may be used for costs of administering the grant funds. Funds must be used to supplement existing state and local funds and must not replace those funds that have been appropriated for the same purpose.

Awards are made in the first fiscal year of the appropriation and may be expended during the following three years, for a total grant period of four years. For example, grant awards made this year, federal fiscal 2009, may be expended during federal fiscal 2009, 2010, 2011, and 2012 or until September 30, 2012.



SECTION D - MONTANA BOARD OF CRIME CONTROL

In addition to the funding included in this bill, there is \$1,806,681 that has been allocated for eligible local agencies. The allocation list may be found on the U.S. Department of Justice website.

Crime Victims

This program is a formula grant program administered by the U.S. Department of Justice that flows through a designated state agency (in this case Montana Board of Crime Control) to sub-grantees at the state and local level. Funds support community-based organizations that serve crime victims and provide services such as crisis intervention, counseling, emergency shelter, criminal justice advocacy, and emergency transportation. States are required to give priority to programs serving victims of domestic violence, sexual assault, and child abuse. Additionally, funds must be set aside for underserved victims such as survivors of homicide victims and victims of drunk drivers.

In addition to the amounts allocated via formula grants, there is funding available for discretionary grants that are used to fund training, technical assistance, and demonstration initiatives. No discretionary grant funding is included in this bill.

The federal agency website indicates further information on the grant application process will be forthcoming.

Violence Against Women Grant

This program is a formula grant program administered by the U.S. Department of Justice, Office on Violence Against Women, which flows through the state to sub-grantees at the state and local level. Montana has received a funding allocation under the "Service, Training, Officers, Prosecutors Formula Grant Program (STOP)". This grant program is to promote a coordinated, multidisciplinary approach to enhance services and advocacy to victims, improve the criminal justice system's response, and promote effective law enforcement, prosecution, and judicial strategies to address domestic violence, dating violence, sexual assault and stalking.

The federal agency anticipates application solicitations will be posted no later than March 9, 2009 and that applications will be due 15 days later. Funds must be obligated by September 30, 2010. However, the federal agency expects to issue two year awards.

Current program requirements apply including:

- 25 percent match is required. However, requests for a waiver of match requirements will be considered
- Funds must be disbursed using the allocation formula or:
 - 25 percent for law enforcement
 - 25 percent for prosecution
 - 5 percent for courts
 - 30 percent for victims' services
 - 15 percent discretionary

Statutory Changes

None

SECTION D - MONTANA BOARD OF CRIME CONTROL

Conditions and Limitations

Each federal funding source has specific conditions and limitations, most of which are consistent with existing federal program requirements. More specific information related to each source of funds is included in the narrative under purpose of funds.

In addition to the specific grant conditions, some of which are mentioned above, funds are subject to various provisions included in the act such as reporting requirements, buy American provisions, etc.

Figure 2

4107 Crime Control Division				All Programs		
Legislative Budget Decision Package	General Fund FY 2010	General Fund FY 2011	General Fund FY 2010-11	Total Funds FY 2010	Total Funds FY 2011	Total Funds FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP00900 Byrne/JAG	-	-	-	3,165,819	-	3,165,819
NP00901 Crime Victims	-	-	-	564,000	-	564,000
NP00902 Violence Against Women Grants	-	-	-	916,955	-	916,955
New Proposal Total	-	-	-	4,646,774	-	4,646,774
Total All Decision Packages	-	-	-	4,646,774	-	4,646,774

Decision Package Narrative

NP 900 Byrne/JAG – This decision package provides funding for the Edward Byrne Memorial Justice Assistance Grant Formula Program administered by the U.S. Department of Justice. This funding passes-through the agency to sub-grantees at the state and local level.

NP 901 Crime Victims – This decision package provides funding for the Crime Victim's Assistance formula grant program administered by the U.S. Department of Justice, Office for Victims of Crime. This funding passes-through the agency to sub-grantees at the state and local level.

NP 902 – Violence Against Women Grants - This decision package provides funding for the STOP grant program administered by the U.S. Department of Justice, Office on Violence Against Women. This funding passes through the agency to sub-grantees at the state and local level.

Alternatives and Policy Options

The legislature may wish to discuss with the agency whether the Montana Board of Crime Control or agency staff have developed a list of guidelines or priorities for expenditure of funds within the grant program requirements. The legislature may wish to provide recommendations regarding priorities for use of the grant funds within federal requirements.

SECTION D – DEPARTMENT OF JUSTICE

Figure 1

4110 Department Of Justice							All Programs	
Legislative Budget Comparison Table								
Federal Stimulus Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent
Operating Expenses	-	-	1,224,920	-	-	1,224,920	1,224,920	0.0%
Total Costs	-	-	1,224,920	-	-	1,224,920	1,224,920	0.0%
General Fund	-	-	821,250	-	-	821,250	821,250	0.0%
Federal Spec. Rev. Funds	-	-	403,670	-	-	403,670	403,670	0.0%
Total Funds	-	-	1,224,920	-	-	1,224,920	1,224,920	0.0%

Agency Narrative

This bill provides appropriations totaling \$1.2 million to the Department of Justice. Of this amount \$403,670 is new federal funding for the Internet Crimes Against Children grant program. General fund support is provided for the costs related to reissuance of license plates beginning in January 2010 and to support the Methamphetamine Watch Program. This bill contains a coordinating section that reduces general fund support for these two items in the appropriations act (HB 2) if this bill is passed, approved, and includes funding for these items.

Purpose of Funds*Internet Crimes Against Children*

This program provides funding for state and regional task forces to address technology facilitated child exploitation. Funding may be used for salaries and employment costs of law enforcement officers, prosecutors, forensic analysts, and other related professionals.

Applications are due by April 8, 2009. Applicants are limited to only those states and local law enforcement and prosecutorial agencies who are currently receiving funds under the program. Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. Funds may not be used to supplant current funding levels. Various reporting requirements apply including reporting on specified performance measures.

Statutory Changes

None

Conditions and Limitations

In addition to the specific grant conditions, some of which are mentioned above, funds are subject to various provisions included in the act such as reporting requirements, buy American provisions, etc.

SECTION D – DEPARTMENT OF JUSTICE

Figure 2

4110 Department Of Justice	All Programs					
Legislative Budget	General Fund	General Fund	General Fund	Total Funds	Total Funds	Total Funds
Decision Package	FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
PL00900 License Plate Reissue - OTO	321,250	-	321,250	321,250	-	321,250
Present Law Total	321,250	-	321,250	321,250	-	321,250
NP00900 Continue Meth Watch Program - Rest/Bein/OTO	500,000	-	500,000	500,000	-	500,000
NP00901 Internet Crimes Against Children Grants	-	-	-	403,670	-	403,670
New Proposal Total	500,000	-	500,000	903,670	-	903,670
Total All Decision Packages	821,250	-	821,250	1,224,920	-	1,224,920

Decision Package Narrative

PL 900 License Plate Reissue, OTO - This decision package provides funding to support anticipated cost associated with the reissuance of license plates beginning in January 2010. This bill contains a coordination section that reduces funding included in the appropriations act (HB 2) if funding for this purpose is included in this bill.

NP 9000 Continue Meth Watch Program – Restricted/Biennial/OTO - This decision package provides \$500,000 general fund as a restricted, biennial, one-time-only appropriation for the Methamphetamine Watch program. This bill contains a coordination section that reduces funding included in the appropriations act (HB 2) if funding for this purpose is included in this bill.

NP 901 Internet Crimes Against Children Grant - This decision package provides an appropriation of federal funds for the Internet Crimes Against Children Grant.

Alternatives and Policy Options

None

SECTION D – DEPARTMENT OF CORRECTIONS

Figure 1

6401 Department Of Corrections							All Programs	
Legislative Budget Comparison Table								
Federal Stimulus Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent
Operating Expenses	-	-	2,858,599	27,709	-	2,886,308	2,886,308	0.0%
Total Costs	-	-	2,858,599	27,709	-	2,886,308	2,886,308	0.0%
General Fund	-	-	2,858,599	27,709	-	2,886,308	2,886,308	0.0%
Total Funds	-	-	2,858,599	27,709	-	2,886,308	2,886,308	0.0%

Agency Narrative

This bill provides funding of \$2.9 million general fund to support costs associated with the reissuance of license plates beginning in January 2010. Currently, this funding is included in the appropriations act (HB 2) as a restricted, biennial, one-time-only appropriation. Coordination language is included in this bill to modify the appropriation in HB 2 if this bill is passed, approved, and includes funding for this item.

Purpose of Funds

General fund is appropriated to fund anticipated costs of reissuing license plates.

Statutory Changes

None

Conditions and Limitations

None

Figure 2

6401 Department Of Corrections				All Programs		
Legislative Budget	General Fund	General Fund	General Fund	Total Funds	Total Funds	Total Funds
Decision Package	FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
PL00900 License plate reissue OTO/Bien	2,858,599	27,709	2,886,308	2,858,599	27,709	2,886,308
Present Law Total	2,858,599	27,709	2,886,308	2,858,599	27,709	2,886,308
Total All Decision Packages	2,858,599	27,709	2,886,308	2,858,599	27,709	2,886,308

Decision Package Narrative

PL 900 License Plate Reissue – OTO/Biennial – This decision package proposes funding the costs related to reissuance of license plates beginning in January 2010 in this bill rather than the general appropriations act.

Alternatives and Policy Options

None

MONTANA JUDICIAL BRANCH
Court Help Budget Proposal
Prepared by Office of Court Administrator
March 2009

The Judicial Branch requests a one-time only (OTO) appropriation in HB 645 of \$247,500 each fiscal year to fund the Court Help program.

- The 2007 Legislature appropriated \$505,000 in one-time only money to implement the Court Help program.
 - The Judicial Branch is requesting a reduced amount -- \$495,000 for the 2011 biennium -- to fund the program (OTO).
- The Court Help program supports:
 - Two full-time centers located in courthouses -- one in Kalispell and one in Billings -- that have assisted over 3,700 people who are representing themselves in civil proceedings
 - Mini-grants to eight other communities for limited local programs to assist people in navigating the civil legal system
 - Development of user-friendly legal forms and instructions available to anyone via the Internet.
- The Court Help program will shut down June 30, 2009 unless funded this session.
 - The Judicial Branch will be unable to provide civil legal assistance to hundreds of Montanans who must go it alone in court.
 - Four employees will lose their jobs -- two state employees in Helena and Billings, one county employee in Kalispell, and one private sector employee.
- HB 645, as introduced, includes no funding for the Judicial Branch.
 - According to the Legislative Fiscal Division, there is approximately \$3 million that has not been allocated in HB 645.
 - The Judicial Branch requests a small portion of this amount to fund the Court Help program.
- The Court Help program meets the following goals of the federal stimulus bill:
 - Preserves jobs
 - Assists those most impacted by the recession
 - Stabilizes state government budgets in order to minimize and avoid reductions in essential services
 - "Shovel-ready" project